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SEARCHED & TRADEMAKED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 2789-35
C# M#

HORN et al.

TC/A.U. 2611

Serial No. 09/780,416

Examiner: V. Srivastava

Filed: February 12, 2001

Date: April 19, 2005

Title: METHOD AND SYSTEM FOR CONTROLLING A PROCESSING OF VIDEO DATA

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

ELECTION UNDER 35 USC §121

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment	0	minus highest number	
previously paid for	33	(at least 20) =	0 x \$50.00
			\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	0	minus highest number	
previously paid for	4	(at least 3) =	0 x \$200.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension	\$120.00 (1251)/\$60.00 (2251)
Two Month Extensions	\$450.00 (1252)/\$225.00 (2252)
Three Month Extensions	\$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions	\$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add
\$130.00 (1814)/ \$65.00 (2814) \$

Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee
\$180.00 (1806) \$

Assignment Recording Fee
\$40.00 (8021) \$

Other:
\$

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: John R. Lastova, Reg. No. 33,149

Signature:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Atty. Ref.: 2789-35

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For: METHOD AND SYSTEM FOR CONTROLLING A
PROCESSING OF VIDEO DATA

* * * * *

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P. O. Box 1450
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Sir:

ELECTION UNDER 35 USC §121

In response to the Office Action dated March 21, 2005, Applicant elects the species of Fig. 3b for further prosecution in the event no generic claim is finally held to be allowable. Applicant believes that all claims 1-33 are readable onto Fig. 3b. Applicant deems at least claims 1, 14, 16, and 32 to be generic.

This election is made with traverse. All pending claims relate to controlling the processing of video data in a transmitter, where the controlling of the processing is done at a first, higher layer, and transmission involves at least a second lower layer. Transmission condition parameters specific for the second layer are used to derive one or more video control parameters usable at the first layer. Video data processing control is performed in accordance with the derived parameters.

This concept is expressed in all of the independent claims and is generic to all of the disclosed examples including the examples of Figs. 2a, 2b, 3a, and 3b. Fig. 2a illustrates a situation with two terminals and a base station controller, where a link control element 7 in terminal A provides information 1 to the video processing element 1 in the same terminal A for the transmission of video data in the uplink direction. In the downlink direction, the link controller 9 provides information 20 to the video processing element 2 in the other terminal B. Fig. 2b shows a situation in which each video

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processing element receives data 10, 31, or 20, 30 for a plurality of link control elements. Figs. 3a and 3b show examples in which a transcoding element 14 or 15 is provided, and the information from the link control element 7, 9 is provided to the transcoding element 14 or 15, which is either co-located with the BSC link control element (Fig. 3a) or provided separate therefrom in an intermediate unit (Fig. 3b).

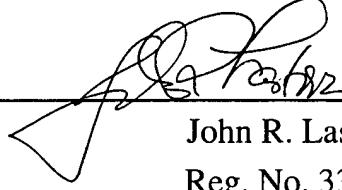
Accordingly, the generic concept of a video control at a higher layer based on transmission information obtained at a lower layer unifies all of the various example embodiments--including those shown in Figs. 2a-3b. Reconsideration is requested.

It is respectfully requested that the non-elected species be retained.

The Commissioner is authorized to charge the undersigned's deposit account no. 14-1140 in whatever amount is necessary for the continued pendency of the captioned application, including but not limited to any extension of time fees.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By:


John R. Lastova
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